

Application No. 09/768,667
Amendment dated April 25, 2006
Reply to Office Action of January 25, 2006

REMARKS

Status Of Application

Claims 42, 44, 46-50, 52, 54 and 55 are pending in the application; the status of the claims is as follows:

Claims 42 and 44-49 (45 has been cancelled) are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,737,014 to Tojo et al (“Tojo”) in view of U.S. Patent No. 4,897,732 to Kinoshita et al (“Kinoshita”).

Claims 50 and 52-55 (53 has been cancelled) are rejected under 35 U.S.C. § 103(a) as being unpatentable Tojo in view of Kinoshita as applied to claims 42 and 44-49 above, and further in view of U.S. Patent No. 4,709,385 to Pfeiler et al (“Pfeiler”).

Claims 42 and 44-49 (45 has been cancelled) are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,162,833 to Taka in view of U.S. Patent No. 5,034,804 to Sasaki et al (“Sasaki”).

Claims 50 and 52-55 (53 has been cancelled) are rejected under 35 U.S.C. § 103(a) as being unpatentable over Taka in view of Sasaki and Pfeiler.

Claims 42 and 44-49 (45 has been cancelled) are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kinoshita in view of U.S. Patent No. 5,067,029 to Takahashi (“Takahashi”).

Claims 50 and 52-55 (53 has been cancelled) are rejected under 35 U.S.C. § 103(a) as being unpatentable over Kinoshita in view of Takahashi and Pfeiler.

Claim Amendments

Claims 42 has been amended to clarify certain features of the invention. These changes do not introduce any new matter.

35 U.S.C. § 103(a) Rejections

The rejection of claims 42 and 44-49 under 35 U.S.C. § 103(a), as being unpatentable over various combinations of prior art, including Tojo in view of Kinoshita, Tojo in view of Kinoshita, and Taka in view of Sasaki. The rejections are respectfully traversed.

Claim 42 has been amended to recite, *inter alia*, “a detector for detecting whether the first memory is received in the memory slot” and “a controller for controlling the reproduction device so that ... image information in the first memory is preferentially reproduced by the reproduction device when the detector detects that the first memory is attached.” That is, when the first memory (i.e., the removable memory) is installed in the camera, the controller gives priority to displaying image data from the first memory. It is respectfully submitted that this feature of amended claim 42 is not disclosed, taught, or otherwise suggested by the cited art.

Tojo discloses a memory unit 27, including a frame memory 7 is detachably attached to an imager 1. However, image 1 does not include a memory fixedly installed inside the apparatus as required by claim 42 (“a second memory, fixedly installed inside the camera body”). Nor does imager 1 include a detector for detecting whether memory unit 27 is attached. Switch 29 of Fig. 1 disconnects battery 17 from terminal 31d to prevent a short circuit when the memory unit 27 is removed from imager 1. Tojo does not provide any teaching or suggestion that switch 29 serves any other function. Thus, Tojo does not teach a “a detector for detecting whether the first memory is received in the memory slot” as required by claim 42. Further, Tojo teaches that a captured image is always stored in the frame memory 7. A stored image may then be transmitted to a second

medium, *e.g.*, disk 20. There is no disclosure or teaching that a captured image can be stored directly to the second medium. Indeed, no signal path is provided from CCD 4 to recorder 2, except through memory unit 27, so that imager 1 is incapable of storing a captured image on disk 20 if memory unit 27 is not attached. Therefore, Tojo cannot teach “a controller for controlling the reproduction device so that image information in the second memory is reproduced by the reproduction device when the detector detects that the first memory is not attached, while image information in the first memory is preferentially reproduced by the reproduction device when the detector detects that the first memory is attached” as required by claim 42.

Kinoshita does not teach that frame memory 7 is removable. Indeed, Tojo appears to be largely the same as Kinoshita except that in Tojo frame memory 7 is made removable. Clearly, Kinoshita does not teach “a detector for detecting whether the first memory is received in the memory slot” as required by claim 42.” In addition, Kinoshita teaches that a captured image must first be stored in the frame memory before being transferred to recorder 2. Thus Kinoshita also fails to teach “a controller for controlling the reproduction device so that image information in the second memory is reproduced by the reproduction device when the detector detects that the first memory is not attached, while image information in the first memory is preferentially reproduced by the reproduction device when the detector detects that the first memory is attached” as required by claim 42.

Taka teaches a camera including a recall memory 10 and a special memory 12 both of which are installed inside the camera. Sasaki is cited for teaching that one of the memories may be removable. However, Taka teaches that the recall memory 10 and the special memory 12 are separately designated by a recall button and a special button. *See* RCL and SPC buttons in Fig. 2. Taka does not disclose the order of the priority with respect to the two memories. Thus, the combination of Taka and Sasaki fails to disclose or teach “a controller for controlling the reproduction device so that image information in the second memory is reproduced by the reproduction device when the detector detects

that the first memory is not attached, while image information in the first memory is preferentially reproduced by the reproduction device when the detector detects that the first memory is attached" as required by claim 42.

As provided above, Kinoshita fails to disclose or teach "a controller for controlling the reproduction device so that image information in the second memory is reproduced by the reproduction device when the detector detects that the first memory is not attached, while image information in the first memory is preferentially reproduced by the reproduction device when the detector detects that the first memory is attached" as required by claim 42. It is respectfully submitted that Takahashi also fails to disclose this feature of claim 42.

In view of the forgoing, it is respectfully submitted that the no combination of Tojo, Kinoshita, Taka, Sasaki, and/or Takahashi discloses, teaches, or otherwise suggests every feature of claim 42. Therefore, such combinations are distinguished by claim 42, as well as by claims 44 and 46 which depend therefrom. Accordingly, it is respectfully requested that the rejection of claims 42, 44, and 46 under 35 U.S.C. § 103(a) as being unpatentable over, be reconsidered and withdrawn.

Claims 47-55 are cancelled, thereby mooting the rejection of these claims under 35 U.S.C. § 103(a).

New claims 56 and 57 depend from amended claim 42. It is respectfully submitted, therefore that new claims 56 and 57 distinguish the prior art for at least the same reasons as provided above regarding claim 42.

CONCLUSION

Wherefore, in view of the foregoing amendments and remarks, this application is considered to be in condition for allowance, and an early reconsideration and a Notice of Allowance are earnestly solicited.

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This Amendment does not increase the number of independent claims, does not increase the total number of claims, and does not present any multiple dependency claims. Accordingly, no fee based on the number or type of claims is currently due. However, if a fee, other than the issue fee, is due, please charge this fee to Sidley Austin LLP Deposit Account No. 18-1260.

If an extension of time is required to enable this document to be timely filed and there is no separate Petition for Extension of Time filed herewith, this document is to be construed as also constituting a Petition for Extension of Time Under 37 C.F.R. § 1.136(a) for a period of time sufficient to enable this document to be timely filed.

Any other fee required for such Petition for Extension of Time and any other fee required by this document pursuant to 37 C.F.R. §§ 1.16 and 1.17, other than the issue fee, and not submitted herewith should be charged to Sidley Austin LLP Deposit Account No. 18-1260. Any refund should be credited to the same account.

Respectfully submitted,

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